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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,383	11/12/2003	Gil I. Winograd	13250US03	9601
23446	7590	03/25/2004	EXAMINER	
MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			NGUYEN, TAN	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/712,383

Applicant(s)

WINOGRAD ET AL.

Examiner

Tan T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-53 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 27-50 is/are rejected.  
7) ☒ Claim(s) 51-53 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/03.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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1. The Preliminary amendment filed by Applicants on November 12, 2003 has been received and entered

2. The Information Disclosure Statement submitted by Applicants on November 12, 2003 has been received and fully considered.

3. Claims 1-26 have been canceled.

New claims 27-53 have been added.

4. Claim 50 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicants failed to provide an adequate written description of the write operation is completed when the local word line is high. Actually, in figure 21, column 22, lines 36-38, Applicants disclosed the local decoder LXDEC 710 deactivates the local word line when the data is fully written to the selected memory cell.

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 27-48 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,646,954. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1, 12 and 18 of U.S. Patent No. 6,646,954 recites memory device having a synchronous controlled global element and a self-timed local element interfacing with the synchronous controlled global element similar to the elements in the claimed memory device in claims 27, 42 and 46. Claims 2-11, 14 and 15-17 of U.S. Patent No. 6,646,954 recite the elements that the global element and the local element comprise which similar to the elements in claims 28-39 and 43-45 of the present application. Claims 19-20 of U.S. Patent 6,646,954 recite a method of performing a read operation having the steps similar to the step in the method claimed in claims 47-48 of the present application.

Regarding claims 40-41, it would have been obvious to person of ordinary skill in the art at the time the invention was made to modify the memory device in the U.S. Patent No. 6,646,954 by providing a plurality of synchronous controlled global elements.

The rationale is as follows: A person of ordinary skill in the art would have been motivated to use a plurality of the synchronous controlled global elements to independently access the selected memory cells in different blocks of the memory device.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 49-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Santoro et al. (U.S. Patent No. 5,570,319).

Santoro et al. disclosed in figure 2 an SRAM having a plurality of subarrays [20a-20p, 22a-22p] (column 3, lines 23-24). The SRAM also includes Global Sense Amp/Mux/Flowthru Latch circuitry [26] (column 3, lines 26-28), global word lines [36], local word lines [34], global read bit lines [38], global write bit lines [42] and global write bit line low [44] (column 3, lines 32-37). The global write bit lines would be considered as the claimed write bank. Santoro et al. further disclosed in figures 4-5 and 7 the write operation of the SRAM wherein the signal on the global write bit line and the local word line of the selected memory cell are high during the write operation (column 6, lines 44-64).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawasumi, Dietrich et al., and Chien are cited to show memory devices having global sense amplifier. Okubo et al., McClure, Ong, Isa, Agata et al. and Tomishima are cited to show memory devices having local or sub-word lines.

10. Claims 51-53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan T. Nguyen whose telephone number is (571) 272-1789. The examiner can normally be reached on Monday to Friday from 07:00 AM to 03:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms, can be reached at (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tan T. Nguyen  
Primary Examiner  
Art Unit 2818  
March 11, 2004